

Executive Registry
74-5234

9 MAR 1974

The Honorable Henry A. Kissinger
Secretary of State
Department of State
Washington, D. C. 20520

Dear Henry:

This is in response to the request of the Acting Secretary of State that I take steps to ensure compliance with the provisions of the Case Act (P. L. 92-403; 1 U. S. C. 112b) requiring that all international agreements to which the United States becomes a party are cleared, prior to conclusion, with the Department of State and are submitted, after conclusion, by the Department of State to the Congress.

I have caused a complete review to be made of all documents and records of this Agency relating to understandings with representatives of foreign governments which affect or involve the Agency, and I have determined that the Agency is not a party to any international agreement which must be reported under the terms of the Case Act. The Agency is the beneficiary of certain agreements entered into by other departments of the Government, including the Department of State; but these will be reported to you by the appropriate departments for your determination as to whether they are international agreements within the meaning of the Case Act.

In order to ensure continuing compliance with the Case Act, I have taken steps to make its provisions known to those components of the Agency which may have occasion to enter into understandings with representatives of other governments, and I intend to issue instructions governing the negotiation and execution of any such formal understandings. In the event that

a question arises about the authority or propriety of the Agency entering into a formal understanding of any kind with a representative of a foreign government, the Agency's General Counsel will consult with the Department's Legal Adviser.

Sincerely,

/s/ Bill

W. E. Colby
Director